Radical Abolitionist.

"PROCLAIM LIBERTY THROUGHOUT *ALL* THE LAND, UNTO *ALL* THE INHABITANTS THEREOF."—LEV. XXV. 10.

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The Radical Abolitionist

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ADMISSION OF NEW SLAVE STATES—REPUBLICAN DOCTRINE—WHAT IS IT?

Statement of the Tribune.

"All that we desire, what we insist on, is that Congress should wait until all parties shall have been fairly heard, and then do with regard to Kansas and her various Constitutions as the majority of her People shall have indicated as their choice. If that be the Lecompton Constitution, so be it; if a new Convention, with or without an Enabling Act, very well; but if the Constitution drawn up at Topeka be that framework of government under which a majority of the People of Kansas choose to come into the Union, who shall say them Nay?—*N. Y. Tribune, Dec.* 29.

This paragraph, standing by itself, would seem to convey the idea that the Tribune was prepared to abandon not only the old Free Soil platform of 'No more slave States,' but likewise the Republican platform of 1856, 'Freedom for Kansas' by action of Congress, in opposition to the repeal of the Missouri restriction, by the Kansas Nebraska bill.

But can such be the meaning of the Tribune? Does it mean to come down to the level of Senator Douglas' position, viz. that Congress shall receive Kansas into the Union, either with or without slavery, accordingly as a majority of the people of Kansas may choose? That the majority shall be allowed to enslave the minority, if they see fit?

Or have we mistaken the position of the Republican party of 1856, and given it credit for a higher tone than it ever assumed? Many Republicans then complained, and still complain of us, for the opposite error, of not giving them credit for as much abolitionism as they exhibited. How is this? In the same number of the Tribune is the following:

"The Nebraska struggle never hinged on the right of a slaveholding and slavery-loving Territory to come into the Union as a Slave State. What the Republicans sought was, not to keep a State out of the Union because of slavery, but to keep Slavery out of each embryo State. They had an eye to Solomon's maxim; 'Train up a child in the way he should go, and, when he is old [of age] he will not depart from it.' They wished so to nurture and educate embryo States, that they would have no desire to enter the Union as other than free States.

Indeed! And was this all that the Republican party sought? A year ago we were blamed, and are still blamed, for having said that the Republican party had abandoned the 'Wilmot Proviso' ground of admitting 'No more slave States;' that they only contended for 'Freedom in Kansas' on the old Missouri Compromise ground, by which the territory north of 36 deg. 30 min., the latitude of Kansas, was 'consecrated to freedom.' Thus we understood the demand of Republicans. But it seems we gave them more credit than the Tribune claims for them, now. They only meant, says the Tribune, to keep slavery out of the Territory, 'the embryo State'—'*not* to keep a State out of the Union, because of slavery'—not even the State of Kansas, 'once consecrated to freedom,' being north of 36 deg. 30 min., the Missouri Compromise line.

What then has been, and what now is, the distinction between the position of the Republicans as expounded by the Tribune, and the position of Senator Douglas? As now advised, we understand it to be this. The Republicans, of the Tribune stamp, would have had Congress keep slavery out of the *Territory* of Kansas, whereas Senator Douglas held that the slaveholders had a Constitutional right to carry their slaves there. But, in respect to the new *State* of Kansas, the Tribune Republicans and Senator Douglas are agreed that the *majority* shall have slavery or freedom there, as they please. This affords light on a statement of the Tribune, of Dec. 16th.

"Our last Washington advices report a full and frank conference between Senator Douglas and leading Republicans of the latest aspect of Kansas affairs. The results were mutually satisfactory."

The old feud between them, about excluding slavery from the *Territory*, is, then, a by-gone affair. In respect to the new *State* they are perfectly agreed.

If memory serves us correctly, we were wont to meet with frequent Republican declarations, especially in the Tribune, that the Missouri compromise line must be restored. We were wont to see and hear long arguments from Republicans, designed to prove that Congress had the power to exclude new slave States, and that duty required, in the case of Kansas, the exercise of that power. We seem to remember how they maintained that there was a broad distinction between the 'reserved rights' of the *original* States to retain slavery, and the rights of *new* slave States to establish it. We think we remember how Senator Douglas and his party, in reply to this, insisted on the equal rights of all the States, whether new or old, in this matter of slavery. And we think we remember our having been more than once reproved and derided for saying that this distinction, set up by the Republicans, was too narrow a basis to rest upon, and for predicting that unless they took the ground that the Federal Government could abolish slavery in the old States, they would, themselves, be driven at length to relinquish their claim of Federal exclusion of new slave States. We think we remember how Republican editors cried out against the opinion of Judge Taney, in the Dred Scott case, because, among other things, it undertook to foreclose, in advance, the action of Congress for excluding new slave States.* We think we remember our having given offence to many Republicans by saying that they must either come up to our doctrine of Federal power over slavery in the old States, or else sink down to the position, in this respect, of Judge Taney.

But we did not expect to witness the fulfilment of our offensive prediction in nine short months. Still less did we expect to meet, so soon, with a denial that the Republicans ever 'sought to keep a State out of the Union, because of slavery.'

Abolitionists, ourselves included, have been and still are, hoping that Republicans will advance to higher ground. But this looks like progress in the opposite direction. We are sure that they must go one way or the other. They cannot stand where they were a year ago.

Let us see where the position of the Tribune, and of the Republican party, as defined by that journal, would carry them. Application will soon be made for the admission of New Mexico, Arizona, and, perhaps, other States to be formed out of Mexico, (in accordance with the Compromise measures of 1850,) as slave States. It will not be pretended that there is any prospect of their presenting themselves as free States—still less that this will be in consequence of any previous action of Congress to 'nurture and educate embryo States' by 'keeping slavery out of them.' What then will Republicans do? Will they adhere to the present stand of the Tribune? Will they never' make any 'struggle on the right of a slaveholding and slavery-loving Territory to come into the Union as a slave State'? If this is the position of the party, let it be known, that Abolitionists and Free Soilers may act accordingly.

We may afford to adventure another prediction, just here. And it is this. The Tribune must either advance from its present ground, or else sink below it, and relinquish it, as it now abjures the Free Soil platform, and (what we understand to be) the Republican platform of 1856. The project of keeping slavery out of a *Territory*, by action of Congress, will never succeed, under the advocacy of a party that seeks '*not* to keep a *State* out of the Union because of slavery.' It will be found to be as impracticable as was the attempt to induce Congress to exclude new slave States (for the attempt *has* been made) by a party that denied the right and duty of Congress to abolish slavery in the old slave States. And the Tribune itself, in due time, will be compelled to give up the *Territories*, as it now does the *States*. It might as well do it now, as to wait a year or two longer. What we have here called a prediction, is already in process of fulfilment. In the case of Kansas itself, the object sought by the Republicans, as

* Very recently the Tribune, in reply to the Express, maintained that by the Constitution 'Congress shall secure to every *new* State a Republican Government' and that Republicanism and Slavery are incompatible.' "How long" shall the Tribune "halt between two opinions?"

now described by the Tribune, has signally and notoriously failed. The object, says the Tribune, was 'to keep slavery out of each embryo State'—'to nurture and educate embryo States,' &c. The Tribune will not deny (for it has stated, in the same article,) that the Republicans sought this object by political action, by bringing Congress to 'establish justice' in the Territories, by 'equal and just laws,' which should 'preclude the toleration of slavery.' But has anything of this kind been accomplished? Assuredly not. The emigration of free laborers into the Territories, and their successful efforts, hitherto, *against* the Federal 'nurture of embryo States,' is another affair. Republicans have sympathized with the movement. But it was not the success of their political measures, as above described by the Tribune. How strangely then does the Tribune, (speaking of the Republicans,) follow up the paragraph last quoted with a boast of their victories!

"And in this aspiration, so far as Kansas is concerned, they have, against great odds, and triumphing over constant misrepresentation and obloquy, succeeded. Whatever trials, postponements, reverses, may darken the immediate or intermediate future, the end will be the enduring triumph of Freedom in Kansas. And the victory thus achieved, through many tribulations and sacrifices, has taught us how to win future victories."

Has it, indeed! If freedom triumphs in Kansas, will it be because the Federal Government 'established justice' in the territory, thereby excluding slavery, and 'nurturing' it into a free State? We have not so read the passing history, in the Tribune.

Let us not be misunderstood. We do not say that the Republican party has done nothing for Kansas. Incidentally, and by way of frightening and checking the pro-slavery Democracy, it may have done much. But it has not done what the Tribune here claims, nor in the manner described. It has established none of its distinctive positions, nor gained anything by them, nor otherwise than in spite of them.

Neither shall we blame Republicans for voting, with Senator Douglas, or any body else, in favor of admitting Kansas as a free State under a Constitution of her own forming. We only protest against the doctrine that 'a State is *not* to be kept out of the Union because of slavery'--that is, because a majority of the people have decided that the minority shall be slaves!

And have we lived to see the day in which we must maintain this protest against the New York Tribune, and the Republican party, both of whom have been understood to make the same protest themselves? At the very moment when President Buchanan is raising the flag of 'No more *free* States,' can the Republican party afford to spare the banner of 'No more *slave* States'? Is the retreating policy of the free States to have no end?

THE TRIBUNE *versus* THE EXPRESS—LIGHT INCREASING.

The New York Express, in treating of the Kansas question, claims to stand where it has always stood, upon the basis of 'municipal rights' and 'self-government,' according to which 'the people of Kansas should have their own way.' It says, 'the Republican party set itself against this principle,' but adds, 'It is with great pleasure that we see the Republican journals coming up to our standard now, and abandoning the wrong idea that Congress should make Constitutions for Territories of the United States.'

The New York Tribune, in reply to this, allows the Express to define its *own* position, but claims that the Republicans shall have the same right of defining *theirs.* This definition it proceeds to furnish, commencing thus:

'The Federal Constitution is the chart by which Congress must be guided in its action. That document imperatively requires that Congress shall secure to every *new* State a Republican form of government. A Republican form of government is one which secures the sovereignty of the People. Strictly, Republicanism and Slavery are incompatible. If a Rothschild should buy up all the State of Delaware or Florida, and convert it into a great plantation, peopled by himself and family, their dependents and slaves, electing himself and son to the Senate, and his overseer to the House of Representatives, that State would surely not have a Republican form of government. We hold, therefore, that a literal obedience to this paramount requisition would preclude the admission of a new slave State.

'"The People of Kansas" are the human beings residing in Kansas—or, politically, the adult male residents in that State. If the question is to be entertained of legalizing or forbidding the enslavement of a part of those people, we hold that this part, being deeply interested, are entitled to a voice in the premises. To allow a part of the people to decide whether the residue shall be slaves or freemen, is not true obedience to the principle which the Express proclaims as its own.'

Admirably said, with the single exception of an unauthorized and impolitic interpolation of the word '*new*' in citing the 'imperative requirement' of the Constitution. Our copy of 'that document' simply reads—

'The United States shall guarantee to *every State* in this Union, a Republican form of Government.'—Art. iv. Sect. 4.

Nothing is here said of 'every *new* State.' The 'imperative requirement' applies to both the old and the new States, alike, without partiality, and without distinction. And the argument of the Tribune evidently requires this, as its reference to Delaware, one of the original States, along with Florida, admitted long afterwards, clearly shows. The 'State Right' of slaveholding, claimed for Delaware, is claimed equally for Florida, and therefore for Kansas. The claim cannot be set aside in the case of Kansas, without setting it aside in the cases of Delaware and Florida.

We are encouraged to see the most prominent Republican paper in the country citing *that* clause of the Constitution as the foundation of its claim in behalf of Kansas, instead of reposing solely on the Ordinance of 1787, and the power of making 'rules and regulations' for the Territories. In our turn, we must express our 'great pleasure' to see that Republican journal coming up so near to '*our* standard.' When it learns to quote the Constitution correctly, it must be with us, in full.

The cause of Freedom versus Slavery, requires only that it be argued before the High Court of Public Opinion, on correct and tenable grounds. All temporizing and half-way defences are based on false grounds, and are therefore untenable and easily overthrown. This is the grand secret of our defeats and disasters, hitherto. A better day, we trust, is beginning to dawn.

P. S.—Our hopes of the Tribune are somewhat weakened by finding in that journal a recent declaration that the Republican party 'never sought to keep a State out of the Union, because of slavery, but to keep slavery out of each *embryo* State,' *i. e.* Territory. What can this mean? Or how can it be reconciled with the preceding? The position of the Tribune appears to be unsettled.

THE CONSTITUTION VOID IN THE TERRITORIES —NEW THEORY OF THE NATIONAL ERA AND SENATOR BENTON.

It it well known that the mere 'non-extension' movement, which disclaims the power of the Federal Government to abolish slavery in the States, has reposed, in all its successive stages, upon the assumption that the safeguards of personal liberty, contained in our Federal Constitution, are available for securing personal liberty, in the *Territories only*, and NOT in the States. So, too, in respect to the Declaration of self-evident truths and inalienable rights, in the Charter of our National Independence.

Thus, for instance, in the Platform of the Republican Party, adopted by its Nominating Convention at Philadelphia, June 17, 1856, after adverting to the self-evident truths of the Declaration, and after quoting the Constitutional provision that 'no person shall be deprived of life, liberty, or property, without due process of law,' it is added, 'It becomes our duty to maintain this provision *of the Constitution*, against all attempts to violate it in the *Territories* of the United States'—thus plainly teaching that its violation in the States was to be tolerated, or rather, that this provision of the Constitution was not available for protection in the States. This harmonized with the pledge of their candidate, and with their own previous and similar pledge at Pittsburg, to let slavery alone in the States. The same tone was constantly maintained in speeches, editorials, and resolutions.

To this, we have always objected that the Constitution was, primarily, for 'the States,' as its preamble declares, and but secondarily and inferentially, for the Territories. So that its provisions in favor of liberty could not be successfully claimed for the inhabitants of the Territories, if they were, at the same time, conceded to be unavailable for the inhabitants of the States.

The event has fulfilled our prediction. The effort to free the Territories by Constitutional safeguards of freedom originally provided for the *States*, (but relinquished as for them, and claimed only for the *Territories*,) has utterly and signally failed.

But what has become of the doctrine, so constantly repeated during the Presidential contest of 1856, that the Constitution has provided peculiar and exclusive protection to personal liberty in the Territories, which is not provided for the inhabitants of the States?

For some time past, we have heard little or nothing of the doctrine. But we were not expecting to see, so soon, a full and flat repudiation of it, in a leading Republican Journal.—Still less were we prepared to see such a Journal carrying the denial of the doctrine to the opposite extreme of affirming that because the Constitution was made for the States, it has therefore no benefits at all for the inhabitants of the Territories! This is altogether too ultra, even for us. The following is from the National Era of Dec. 31:

"The doctrine that the Federal Constitution is self-extended to the Territories is false, because that paper was made by the people of the United States, not Territories; for *States*, not Territories; applies to States, not Territories. If so extended, all Territories would at once rise to the rank and claims of States, and as such be entitled, without act of Congress, to organize StateConstitutions, form State Governments, and elect Representators and Senators to Congress.

"The only true doctrine is, that the Federal Government is Sovereign over Territories, has a right to keep them in a Territorial condition so long as it shall deem best to prohibit in them any institution or practice which it may judge detrimental to the public welfare, to admit them as States, either by authorizing preliminary Conventions to form State Constitutions, or by ratifying the proceedings of Conventions held by the people, of their own motion.

"How it shall exercise this large power, is a question of justice and expediency, not constitutional right. Taking the standard of natural right as the measure of the just powers of Government, the Federal Government, ought not to oppress these people, ought to protect their rights and promote their interest, ought to consult their will, as far as the general welfare will allow, ought to

invest them, as far as may be done, without injury to the United States, with the power of self-government, ought, whenever they desire, and their condition justifies it, admit them as States."

The Era proceeds to enumerate some of the wrongs inflicted by the Federal Administration upon Kansas, but does not include the wrong of failing to liberate the slaves in the Territory. It then adds—

"In all this, we do not say it has violated the Constitution, but it has trampled upon justice and natural right, and made itself an accomplice in oppression and fraud."

And was not the Constitution made 'to establish justice, and secure the blessings of liberty for ourselves and our posterity'? When any of us remove from a State to a Territory of the United States, do we remove (as if going to a foreign country,) out of the protection of our Constitution and Constitutional Government? Does not an American, retaining his citizenship and his allegiance, claim and receive that protection, even in a foreign land? Do we renounce allegiance or citizenship by going out of a State into a Territory? Have we then, no access to, or redress from, the Courts of the United States? And what authority can the Courts, the Congress, or the Executive, have, over the States, except by the Constitution? Is the Federal Government an unlimited despotism, without any constitutional restrictions, so far as its control over the Territories is concerned? We cannot assent to the new doctrine of the Era, any more than we could to its former doctrine. The former was an extreme in one direction; the present is an extreme in another and an opposite direction.* The provisions of the Constitution securing personal freedom are neither for the Territories exclusively, nor for the States, exclusively, but for both alike. The Era was betrayed into its former error by following, too implicitly, the Republican leaders; and into its present one by adopting the theory of Thomas H. Benton, in his Review of the Supreme Court, of which it gives extracts.

We see in such changes and incongruities, the natural effects of ignoring the plain and undeniable provisions of the Constitution for securing personal liberty, by Federal protection, both in the Territories and in the States. Losing sight of this central and vital feature of the Constitution, there remains no longer any possibility of expounding it into any thing like self-consistency, congruity, or a capability of securing its own declared ends.

We did not expect to be, so soon, called upon to defend the Constitutional power of Congress over the Territories, as against assaults from a leading Republican Journal. But, on reflection, we ought not to marvel, greatly, at the phenomenon. How could those who have been accustomed to deny the protecting power of the Constitution in the States, retain their belief in its power of protection in the Territories? We cannot deny that the theory of Mr. Benton and the progress of the Era are strictly logical from their assumed premises, namely, that the Constitution does not protect liberty in the States. Senator Douglas, too, we should think, stands on the same ground, and the Republican party must needs settle itself on *that* basis, unless it comes up to *ours*. We predict this as confidently as we did the failure of the attempt to extend the benefits of the Constitution to the Territories while denying them to the States.

* Some time ago, the Era objected against our doctrine of the Constitutional power of the Federal Government to protect personal liberty in the States, that it was 'Consolidation'—was subversive of 'State rights' and 'more inconsistent with individual freedom than that which makes all France subject to the tyrant who has possession of Paris.' But now the Era teaches that the Federal Government holds sovereign power over the Territories without any Constitutional restriction at all.

Radical Abolitionist.

NEW YORK, JANUARY, 1858.

REMARKABLE DISCOVERIES.

From extracts copied into the present number of our paper, it will be seen that the National Era has discovered that the Federal Constitution 'applies to States, not Territories,' and that it gives Congress no power over Territories. From other extracts it will also be seen that the New York Tribune has discovered that 'the Republicans never sought to keep a State out of the Union, because of slavery'—notwithstanding, in another article, the Tribune says that the Constitution 'imperatively requires that Congress shall secure to every new State a Republican form of government,' and 'Republicanism and slavery are incompatible.'

These extracts invite study. Comparing Tribune with Tribune we learn that the Republican party 'never sought' to carry out the 'imperative requirement' of the Constitution to 'secure every new State' from slavery. Putting the National Era and the Tribune together, we arrive at the astounding discovery that the cause of liberty has nothing to expect from any action of the Republican party, under the Constitution, either for the exclusion of new slave States, or for the prohibition of slavery in the Territories! The Tribune vouches for the former, and the National Era for the latter. Here is something for Republicans to inquire into. Have these, their two leading Journals, deserted them? Has the Era 'caved in' on the Territorial question? And the Tribune on the admission of new slave States? Or has the issue of the last Presidential election been misunderstood, all along? Where are we? And whither are we tending—so far as organized political action on the slavery question is concerned?

There is great confusion of tongues among the leaders of the Democratic party, and indications of a general breaking up of the old party platforms and party lines. Are we to have similar confusion and disorganization in the Republican ranks?

PASSING EVENTS.

Our little monthly sheet is altogether inadequate to the task of presenting even a condensed summary of the important news of the day. We can only review a few general facts, for future reference, trusting that our readers in general will already have been furnished with the particulars, in detail.

Kansas continues to be the central point of attention; and the interest in its destiny has never been more intense than of late. The prediction of the New York Herald, and kindred journals, that the slavery question was about to disappear from our national politics, has been signally falsified. The President's Message bears testimony that no other question is of half the importance. Unfortunately for the present comfort and future fame of our would-be conservative Chief Magistrate, he has not only contributed needlessly, to the intensity and rancor of the renewed agitation, by planting himself upon the extremest verge of the wrong side, but in doing so, has betrayed his utter lack of that prudence for which he had been so highly extolled by his admirers.

By a complication of frauds and villanies almost without parallel, a pro-slavery Constitution is attempted to be forced upon the unwilling people of Kansas, under color of law, and by authority of the Federal Government. The Convention that framed the Constitution had been notoriously elected by armed bands of ruffians from Missouri, under the special protection of President Pierce. By that Convention, provision was made, *not* for the submission of the Constitution to the people of Kansas, for their acceptance or rejection, as a whole, but only for the acceptance or rejection of a particular clause permanently legalizing slavery, and the free ingress of slaves from other States.—But if *that* particular clause should have been rejected, there were *other* provisions upon which no vote of the people was permitted, by which the slaves already in the Territory were to be held as slaves, and the right of their owners to this 'property' was to be held inviolable—thus fastening slavery upon the State, in either case! It is affirmed, and has not been authoritatively denied, that this nefarious scheme was concocted in Washington City, before-hand, and by the Federal Cabinet itself, with the approbation of the President. Nevertheless, the President has given assurances to Governor Walker, and he had repeated them to the people of Kansas, that there should be a fair vote of the people, on the acceptance or rejection of the Constitution, as a whole.

In the mean time a Territorial election had been held to choose a Territorial Legislature. By fraudulent returns of some sixteen hundred votes in a district not containing two hundred voters, and some twelve hundred more in another sparse district, it was attempted to carry the vote for the slavery party. But Governor Walker and Secretary Stanton, fearing, as they declared, a 'rebellion' in the Territory, set aside the fictitious votes. For this they were censured by President Buchanan, whereupon Governor Walker resigned, and Secretary Stanton was removed; his place being supplied by Mr. Denver.

The President, in his Message, contends that the mode of submission, provided by the Lecompton Convention, is sufficient. Governor Walker takes the opposite ground, and is joined by Senator Douglas, and others of the Democratic party. Governor Wise of Virginia joins with them. The 'Democracy' of Tammany Hall, New York City, and New York State, generally, take sides with President Buchanan, and the extreme 'fire-eaters' of the South—thus showing that Northern slavocrats can go farther in their villany than many of

their Southern confederates—that liberty has less to hope from Buchanan and his northern supporters, than from Wise of Virginia and his friends.

What is to be the final result of this apparent split in the ranks of the pro-slavery Democracy, remains to be seen. It is also to be decided whether the Republicans will maintain their original ground, or come down to that of Senator Douglas. Some articles in our present number, on that subject, deserve study.

The cause of freedom in Kansas is greatly strengthened by the election of a Free State Territorial Legislature, secured by the rejection, by Governor Walker, of the fraudulent votes. By this Legislature, measures were taken for a fair submission of the Lecompton Constitution, as a whole, to the people, on the 4th of January. The returns are still incomplete But there is no doubt that a large majority of the people are against it, although at the previous election, on the 21st of December, under the auspices of the Lecompton Convention, the Constitution with the pro-slavery clause had been adopted, (the Free State party not voting,) a result perplexing to the Administration clique, who had hoped, by its adoption *without* that clause, to mystify and complicate the question, and smuggle slavery into Kansas under show of a popular vote; which was, evidently, the original design, as before described. Under authority of the Lecompton Convention, an election of State officers, under their Constitution, has also been held, in which large numbers of the Free State party concluded to participate, so as to be perpared for the worst, in case that odious Constitution should be received by Congress. While we are writing, "little doubt is entertained that the Free State ticket has been successful," though the complexion of the State Legislature is more doubtful, on account of apprehended local frauds.

At one time, strong fears were entertained of a serious collision between the Free State men and the U. S. dragoons. Rumor, for a time, reported it as a fact. But it proved unfounded. A Missouri invasion was indeed driven back, and thirty Free State prisoners released, and with little sacrifice of life. But the United States dragoons who had been marched to the scene of action, returned without interfering in the affair.

In Congress, the appearances *now* seem to indicate the triumph of the Douglas party over the Administration clique, but there is no knowing what new turn of affairs a day may produce. If the 'fire-eaters' should be effectually repulsed, by the more reasonable portion of the Democratic party, and of the slaveholders, it will be the first time. It will be in season to believe it, when it is proved to have taken place.

The capture of Fillibuster Walker by Com. Paulding, the return of Walker and his forces to the United States, his release by the Federal Administration, hin threatened claim of indemnity, his letter to the President, the consequent commotion in Congress and among the slaveholders, the President's Special Message on the subject, &c., constitute another interesting chapter of the passing history. And here, again, the President's evil genius does not desert him. The complication is almost as intricate as that of Kansas. One naval commander fails of arresting the piratical invader, and is threatened with a trial for his negligence. Another succeeds in capturing him, and is half-cashiered for 'the grave error.' And finally, it is confidently affirmed that the fillibustering expedition had the approval of the President, from the beginning. A letter of Secretary Cass to the friends of Walker, sympathizing with them, appears in the papers, contrasting, strangely, with the official proclamation forbidding such enterprizes.

OUR LATE TOUR.

We spent the greater part of November and the first half of December in lecturing and soliciting funds for the American Abolition Society. Our field was a few counties in western New York, but particularly the vicinity of Honeoye, in the county of Ontario, where we had resided a number of years. It was pleasing to see the faces of many old friends, and to witness their continued interest in the cause of human freedom. Especially was it encouraging to find that a great change was taking place in the mass of the people. This remark applies to all the neighborhoods we visited. Old prejudices are giving way. Abolitionists are no longer regarded as fanatics and mischievous agitators. It is coming to be seen and acknowledged among those who do not claim to be abolitionists themselves, that the agitation against slavery was not commenced a day too soon, that abolitionists had more truth and reason on their side than had been supposed, and that something must be done, in some way, to preserve the country from the grasp of a despotism more ruthless than that against which our revolutionary forefathers took up arms So deep is this conviction, in some ardent minds, that, without stopping to look into the subject, in detail, they are ready to jump over the intermediate grades and phases of the Republican, Free Soil, Disunion, and Abolitionist movements, as commonly expounded, and go in for abolition by revolution, at once. This arises, in part, from the general and wide spread conviction that the effort for mere 'non extension,' by political action, is pretty nearly worked out, and has proved a failure, whether Kansas is free or enslaved. This class, in common with their neighbors in general, are ready to listen to any intelligent discussion of the methods by which our free institutions may be preserved. Never before have we found the public mind so accessible, or in so favorable a position to receive what *we* believe to be the truth. Good and attentive audiences assembled, wherever we went. Nothing like bitter opposition did we meet, any where, and little of objection to our views of the Constitution, and the duty and feasibility of a National Abolition of Slavery. After a lecture, or after a familiar conversation, the general response was, '*It must come to that*,' '*It is only a question of time.*' Republicans, to a great extent, occupy this ground, and not a few of them are watching, anxiously, to see what course of future action will be marked out by the Republican leaders, after the pending Kansas question shall have been settled. Expectancy and suspense, for the present, hold in check and repress the demand for a higher platform. Whichever way the Kansas question may be settled, that demand will make itself heard, before long. Encouragement, in the one case, and something akin to desperation, in the other, will, we think, urge the car onward, with a fresh impulse. Public opinion is in a forming state; and O how important it is that it should receive a right direction! What a pity—what a shame it is, that while the fields are all whitening for the harvest, we lack the means of sending competent laborers into the field. What the public mind now needs, (in addition to the impulse of passing events), is the *guidance* that might make that impulse available. Never, before, did we so deeply feel the need of abolition lecturers, abolition papers, abolition tracts, all requiring ABOLITION FUNDS.

Our own efforts to raise funds were, perhaps, as successful as the financial difficulties would warrant us to expect, though painfully short of what the operations of our Society require. We hope for better times, soon, and trust our friends in the country will not forget us, nor forget themselves, nor forget the slave.

Our thanks are due to our numerous friends, old and new, who so kindly extended to us their hospitalities, their co-operation, and their aid.

WHITES RESCUED FROM SLAVERY!

'The baleful anti-slavery agitation.'—CROSWELL.

We have, in a recent fugitive case, a fresh illustration of a truth we have recently insisted on; a truth that those most deeply interested are slow of heart to understand; to wit, that there is little security, even at present, and that, soon, there will be none at all, for the personal liberties of the masses of laboring *whites* of this country, if the *colored* people, in any part of the country, are much longer permitted to be enslaved. We mean all we say. We mean that if slavery continues to exist, the whites as well as the blacks will have no security against enslavement! Let facts testify.

JAMES was a free-born inhabitant of Charleston, (S. C.) All his paternal ancestors were free white citizens. Some of his maternal ancestors had been colored—had been slaves; but the mother of James had been liberated, and he was born free. He was so white that no one would suspect him of belonging to the servile caste. When a child, he was placed, by his dying parent, under the charge of a distant relative, a white man, for protection and assistance. For a while, that charge was properly fulfilled; but when he became of age, he began to be claimed and treated as a slave. He found no means of successfully asserting his freedom, but by flight. He escaped, in a vessel, to Savannah, where, having some money, he passed himself, with his fellow-passengers, at a hotel, as a white man. From thence, he took passage in another vessel, for New York. His pretended owner, in the mean time, having traced his course and destination, telegraphed a description of his person, and desiring his arrest, here, which took place in Brooklyn—*not however until after another man*, a passenger in the same vessel, seeming to answer the description, entirely white, and free from the least taint of African blood, had been arrested in his stead. *This* man, being of darker complexion than the real fugitive, found some difficulty in convincing his captors that he was the wrong passenger. Had he failed to find friends, who could attest his identity, he would doubtless have been detained, and without the intervention of 'meddlesome abolitionists,' would have been sent back to Charleston, as a slave. But, finding friends, he was released, and after further search, the *other* 'white man,' as described by telegraph, was seized. JAMES was privately placed in the custody of several men, who undertook to keep him, in secrecy, till the vessel should return, when he was to have been put on board. Providentially, the very day before the vessel sailed, the fact came to the ears of some abolitionists. By the skilful and intrepid exertions of one of them, SAMUEL HARRIS, Esq. of Brooklyn, the captive was rescued. A writ of habeas corpus from HON. E. D. CULVER, the City Judge, was procured, and by that upright and humane magistrate, he was promptly discharged. Proper measures were next taken for his conveyance to Montreal, where he safely arrived.

While in Charleston he was married to a free woman, who had taken the precaution to remove to Philadelphia before her husband escaped; from whence she is about to proceed to him in Montreal. We have seen a daguerreotype of James, (now known as William Goodell Hill—an honor for which we are grateful,) and cannot distinguish it from that of a

white person. Having been absent in the country, we did not see the original.

Here then were two free white persons, one of them free from the least taint of African blood, who had, each of them, a narrow escape from the clutches of the slave power.

'Hail Columbia, happy land'!——

If any way could be devised to 'permanently quiet,' as Croswell says, 'the baleful anti-slavery agitation'! Can it be done? Freemen! What say you?

POLITICAL SAGACITY.

'The apparently well-grounded hope that the baleful anti-slavery agitation had been permanently quieted by the passage of the Kansas-Nebraska Act, and its signal approval by the American people in the last Presidential election, has not been realized.'—*Edwin Croswell.*

Mr. Croswell writes this in a letter to the Tammany Hall meeting for celebrating the victory of Gen. Jackson at New Orleans. We give it as a fair specimen of the sagacity of that class of politicians to which Mr. Croswell belongs—we mean the class, in all parties, who fail to recognize *first principles*, as the basis of political action, and who, judging of the mass of their fellow-citizens by themselves, take it for granted that when the office-holders or the office-seekers of a country—as the case may be—have laid down the course of action best adapted, as they judge, for their own purposes, the people have nothing to do but to conform to their wishes. It seems never to have occurred to Mr. Croswell and his associates that a high handed assault upon the liberties of the country would awaken a spirit of resistance. Quiet the country, by passing the Nebraska bill! What an idea! Quiet the country, by repealing the Compromise by which, thirty-four years previous, the country was sought to be quieted. Quiet the country by removing the barrier that had so long forbidden the pro-slavery and anti-slavery forces of the country to meet and grapple in an open field, without any restraint from the supposed obligations of a venerated 'Compromise'!

Why did not the wise managers go a step further, and repudiate 'the compromises of the Constitution,' by way of 'quieting' the anti-slavery excitement?

The truth is, the real instigators of the Kansas-Nebraska bill, whoever their tools may have been, were the Southern 'fire-eaters,' who intended to produce agitation, and have got what they wanted, though not the ends which they hoped the agitation would produce. They expected to get Kansas by fraud and violence, but, thus far, have failed. If Edwin Croswell, and his kith and kin, really expected that 'the passage of the Nebraska bill' would 'permanently quiet the anti-slavery agitation,' they only made asses of themselves, and should now spare themselves the further disgrace of proclaiming their stupidity.

DEATH OF JAMES G. BIRNEY.

The decease of Hon. James G. Birney, at Eagleswood, N. J., occurred while we were absent from our post in the country. The public press has, extensively, paid a just tribute to the memory of that excellent man, who was the victim of relentless persecution, for his devotion to the cause of the enslaved. We knew him well, and to know him was to love and admire him. The leading incidents of his life, and the prominent traits of his character, are happily sketched in the Oberlin Evangelist, as follows:

"He was born in Kentucky, 1793, graduated at Nassau Hall, Princeton, in 1810; entered in 1814 upon the practice of law in Kentucky, but removed in 1817 to a plantation near Huntsville, in Alabama. From plantation life, he returned ere long to the practice of law, locating himself in Huntsville. Here occurred that great change by which he became first a sincere Christian and then of course, a true philanthropist. As stated in the N. Y. Independent, "Up to this time his habits of life and of thought had been like those of most men of his class at that day; but at the age of about 35, his attention was turned to his own destiny as an heir to immortality, and to the claims of the Christian religion, and he became an humble and zealous Christian. At once, and as in most cases of sincere piety in an enlightened mind, he became impressed with the great wrong and terrible evils of slavery, and soon abandoned his worldly prospects with a view to the promotion of the Colonization scheme as the great remedy for slavery." In 1834 he became fully convinced of the futility of Colonization as a remedy for slavery, heartily embraced the doctrine of Emancipation—giving ample evidence of his sincerity by emancipating his own slaves, and by employing them on fair wages. On the death of his father in 1839, he secured such a division of the estate that all the slaves, twenty-one in number, fell to him. He forthwith set them free and made ample provision for their immediate comfort.

His public anti-slavery life is before the world. From about 1834 to 1837 he devoted himself to editing an anti-slavery paper (The Philanthropist) in Cincinnati; from 1837 to '39, he was one of the secretaries of the American Anti Slavery Society in N. Y.; in 1840 and again in 1844, he was the anti-slavery candidate for President. About 1840 he removed to Saginaw, Mich.

We regard him as a lovely and admirable model for a reformer. Modest and retiring; impelled onward only by his own rational and resistless convictions of duty to God and man; a genial spirit, without the first tinge of acerbity and bitterness—he could not fail to gain the confidence of all candid men—though he found few to appreciate his sacrifices for opinion and principles. *His life adorned Christianity.* We need not say more—as we cannot say of him any thing higher."

GOVERNOR KING ON THE CONSTITUTION AND SLAVERY.

The recent Message of Governor King of New York, contains a few sensible and spirited paragraphs on the condition of affairs in Kansas, the 'unwarrantable proceedings' of the Federal Executive, the decision, in our State Court, of the Virginia Lemmon slave case, and the 'opinion of some of the Justices of the Supreme Court of the United States, *as to the Constitutionality of slavery.*' From these, and particularly in view of the topic last mentioned, his Excellency takes occasion to say—

'I feel called upon by what I owe, not less to the well-ascertained sentiment of the people of this State, than to my own self-respect, to repeat here, what in my first Message I assumed as the deliberate conviction of the Free States, that "Slavery, in the States where it exists, exists by virtue of the local law alone, and that it neither exists nor is confirmed there, nor anywhere, by the force and effect of the Constitution of the United States."'

At first sight, this would seem to be only a re-affirmation of the doctrine that has commonly been received among us, concerning the Constitution, as opposed to the extreme ground lately taken by the ultra propagandists of slavery. The seeming concession that 'slavery in the States, exists by virtue of the local law,' which is contrary to the existing and historical fact, as is admitted by the ultra slaveocrats themselves, (who plant themselves on their original natural rights of slaveholding, and repudiate the pretence of any 'local law,' a basis which would exclude them from the new Territories,) would seem to indicate that the Governor holds only the commonly received, or recently prevalent view. But, on a closer inspection we seem to see something like an advance from that ground.

'That it (slavery) neither exists *nor is confirmed* there, *nor anywhere*, by the force and effect of the Constitution of the United States.'

Then the Constitution, certainly, cannot warrant any provision, by Congress, for the rendition of fugitives from slavery. Some other Republican statesmen, however, have taken this ground. And they have maintained it, by making a distinction between the stipulated obligations of the States, under the Constitution, and the power of Congress to enforce the fulfilment of those obligations. The States, say they, and not the Federal Government, are entrusted with this matter.

But if, as Gov. King says, 'Slavery neither exists, *nor is confirmed*, ANYWHERE, by the force and effect of the Constitution of the United States,' then, how can the States, or the people of the States, be bound by the Constitution to return fugitives from slavery? Or how can they be restrained, by the Constitution of the United States, from making effectual provisions for securing the personal liberty of every innocent human being within the limits of the State? Let 'State Sovereignty' and 'State Rights' answer the question. This carefully expressed and repeated declaration of Governor King, in his two messages, covers a wide ground. It covers—does it not?—the *whole* ground. 'The Constitution' 'confirms slavery, nowhere.' Then it protects it, nowhere. Then, it regards it out of the pale of protection—an outlaw, everywhere. Can the meaning fall short of this? If *not* regarded an outlaw, is not its legal existence 'confirmed'?

We are not quite certain that the Governor has fully pondered the extent of his declaration—that he deliberately and understandingly means all that he seems to mean. But we hope he does. He is no bungler in the use of language. If, unconsciously, he has overstepped the boundaries of the prevailing or recently prevailing theories, that fact affords fresh illustration of the unconscious progress that may be witnessed in the community at large.

We specially invite attention to the communication that follows. If any of those who deny the constitutional authority of the Federal Government to abolish Slavery in the States—and the political necessity and moral obligation of exercising that authority, can reply to these questions, we should be glad to hear from them.—ED.

For the Radical Abolitionist.

QUESTIONS TO BE PONDERED.

1. Is not Government a divine grant for the good of all the people?

2. Have a portion of the people, (a great majority if you please,) any authority to frame or administer a government for any other ends than those for which it is divinely ordained for the good of all?

3. Does not the Federal Constitution, in its very first sentence, recognize the higher law of justice and right, by proposing just such ends as a government guided by the higher law would pursue?

4 Since to regard the higher law is simply to regard right, will a government which does does not regard the higher law, be bound by *any* law, or by a constitution?

5. If the Federal Government has not authority to administer impartial justice to all the people in accordance with the higher law, from what source does it derive any authority at all?

6. Admitting that the Federal Constitution is not a rule of government prescribed by the people, but simply an instrument of confederation for sovereign States, are not the States, federally and politically bound to conform their

laws and institutions to the objects of the confederation as stated in the instrument?

7. Can sovereign States bind themselves by a constitution securing liberty to the people, and yet be free to enslave the people?

8. Ought not Federal Sovereignty to be regarded, as well as State Sovereignty?

9. Is it not a prerogative of Federal Sovereignty to secure to the people the enjoyment of Federal privileges, such as the privilege of the post-office, of the patent-office, of commercial regulations?

10. Can the Federal Government secure to the people Federal privileges without the power of securing their personal liberty?

11. If a State Government reduces the people to Slavery, does it not deprive them of the privileges of Federal citizenship, and thus interfere with Federal Sovereignty?

12. Does not the doctrine of State Sovereignty, as applied against interference with State Slavery, rob Federal citizens of Federal protection, and leave them at the mercy of State despotism?

"J. P. B." in particular is respectfully invited to examine the above questions.

Hartford, Vt. I. S.

Is it So?—The Springfield Republican says that Eli Thayer's Virginia settlement at Ceredo has proved a total failure, and gives some dismal statements, by William H. Emmons and H. J. Sweetland, of Springfield, who had returned from the colony. They say, 'Most of those who have gone to Ceredo have left disappointed, while some remain, only because they are unable to get away.' How is this, Mr. Thayer?

ANTI-SLAVERY CONVENTION IN VERMONT.

A call has been issued for an Anti-slavery Convention, in Bradford, Vermont, on Tuesday and Wednesday, the 26th and 27th January. The call says, 'There are many in our State, who desire to occupy a higher moral platform than that occupied by the political parties.' And they are invited to 'consult, discuss, and determine, with reference to the evil of *slavery*, and to adopt such measures and take such action as the state of the times may demand.' The call is headed by the Governor of the State, Ryland Fletcher, Esq, and is signed also by large numbers of citizens, including abolitionists, of different schools. 'The Convention,' says the Standard, 'is not to be a partizan one, in any sense.' A good movement.

WOULD 'DISSOLUTION' RELIEVE US?

Would a dissolution of the Union preserve us from all the mischiefs connected with our intercourse with slaveholders, and our connexion with slavery? Let us see.

Our commercial and financial connexions with the South might remain, and probably would remain, very much as at present. We should still continue to buy their cotton, and to sell to them our imported and manufactured goods, very much as we now do. Northern capitalists, banks, and bankers, would do for the planters very much the same that they have done and are now doing. The desire of Southern custom would be just as blinding and corrupting as it now is. A financial crisis would subject us to the same losses from our Southern customers that we always experience at such times. Southern idleness, thriftlessness, and prodigality would affect us, both by example and by the losses they entail upon us, very much as they now do. Southern nabobs would come North, in summer, and turn the brains of our Northern lads and lasses, with their dashing expenditures, just as they now do. Southern merchants would buy goods in New York, on credit, just as they now do. When the period for a general Southern bankruptcy arrived, (as it must periodically arrive,) and Southern securities, as formerly, turn out to be worth but ten cents on the dollar, what consolation could the Northern creditor derive from the reflection that the political Union between the States was dissolved, and that no Courts of law within his reach could assist him in the collection of his dues?

Our Northern publishers, seeking Southern customers, our Northern Colleges and Theological Seminaries, our Missionary and Tract Societies, our religious denominations and ecclesiastical bodies, seeking denominational expansion, fraternity and co-operation, would have the same temptations that they now have, to cater to the prejudices of the slaveholders.

All these things would remain as at present, while our political power over slavery would be gone, and the pretence that we have no right to interfere with the arrangements of other States would become more plausible and seductive than ever.

CONSOLIDATION AND STATE RIGHTS.

'Free Soilers' and 'Republicans' sometimes complain of 'Radical Abolitionists' as being inclined to favor a 'Consolidated Federal Government' and as overlooking the importance and sacredness of 'State Sovereignty' and 'State Rights.'

This complaint arises from our denial of the Constitutional right of the States to maintain slavery; and from our affirming the Constitutional right and duty of the Federal Government to prohibit slavery in the States.

But, in certain directions, the 'Free Soilers' and 'Republicans' are, equally, at least, exposed to similar objections. They affirm the right of Congress to exclude slavery in the Territories, and they deny the right of the people of the Territories to establish or admit it. And in order to maintain this ground, they often go so far as to claim for the Federal Government the *exclusive* control of the Territories, and so far as to deny popular Sovereignty in the Territories, altogether.

This is going beyond the Radical Abolitionists, or, at least, beyond *our* exposition of that doctrine. We do not say that Congress should hold *exclusive* control of the Territories—nor that the people of the Territories have not the same rights of 'popular Sovereignty' that the people of the States have. We only say that the people of the Territories have no right to admit slavery, and that Congress has the right to prevent them from admitting it. We say that both the Territorial Government and the National Government are bound to protect the personal liberties of their subjects, in the Territories, and that neither of these Governments have a right to infringe those liberties, or to permit their infringement.

Thus we harmonize Territorial rights and Federal responsibilities. *Both* the Governments have power to protect liberty, but *neither* have power to infringe them.

The same doctrine we apply to the States, and to the Federal control over them. We put 'popular Sovereignty,' in the States and in the Territories, on the same footing. We would permit no Federal control over either of them, except to secure freedom.

We submit, therefore, that it does not become 'Free Soilers' or 'Republicans' to complain of *us* for our disregard of popular Sovereignty in the States, nor for our advocacy of a 'Consolidated Federal Control' over them. We hold popular Sovereignty to be as important in the Territories as in the States, and we hold personal liberty in the States to be as sacred as in the Territories. We have no more dread of 'Consolidated Federal power' over the States than over the Territories. As compared with 'Free Soilers' and 'Republicans' we make more of 'popular Sovereignty' and less of 'Federal control' in the Territories, than they do. And in respect to the States, we deny no 'popular' or 'State Sovereignty,' except that of overturning law, and violating personal freedom! We invoke no Federal control but that of 'securing the blessings of liberty' in accordance with the Constitution.

ONE POINT SETTLED.

So far as the meaning of the Constitution, in its bearing on slavery and abolition is concerned, the question may be considered as settled. The *meaning*, we say—the meaning of the *words*, according to the definitions of our best lexicographers, the meaning of legal technical terms, according to the Law Dictionary, according to the best writers on law, and the prevailing usages of the bar and of the Courts—the *meaning*, as expounded by the legal rules of interpretation found in the writings and opinions of the best jurists, as sanctioned by the Supreme Court of the United States, and honored by them in practice, except where the interests of slavery are concerned.

We say the meaning is settled, and it is settled in favor of the unconstitutionality of slavery, and the power of the Federal Government over it, in all the States.

We say it is settled, as a matter of public discussion, so far as the discussion has been carried, and we say so, because it has been either directly or indirectly conceded by those with whom those who maintained the unconstitutionality have been called to contend, or who have been accustomed to controvert their doctrine.

The concession is apparent whenever there is witnessed an unwillingness to meet the question on the meaning of the *language* of the Constitution—whenever an appeal is made from the language to the supposed history of the instrument, the 'understandings' and characters of its framers and adopters.

The concession is virtually made whenever, instead of attempting to answer the expositions of radical abolitionists, by citing the language of the instrument and the legal rules of interpretation, the question is dodged by resorting to the argument that the Government, in its various departments, has been administered in favor of the claims of slavery.

The concession is witnessed, whenever, in answer to an anti-slavery exposition (or rather,

instead of an answer) the discussion is suddenly broken off with—'I don't care a chip for the Constitution'—'The discussion is an unprofitable one'—'The Constitution has always been "administered" in favor of slavery, and always will be, and there is no remedy but disunion.'

The concession is made whenever it is said, in the language of Greeley—'If we were to interpret the Constitution by itself, we must understand it as Gen. Granger does.'

Emphatically, the concession is made whenever, in the language of Judge Taney, it is said, first of the Declaration of Independence—

'The general words above quoted' [*i. e.*, "that all men are created equal," &c.] 'would seem to embrace the whole human family, and if they were used in a similar instrument at this day, would be so understood'—

And then, in respect to the Preamble of the Constitution—

'It speaks in general terms of the *people* of the United States, and of *citizens* of the several States, when it is providing for the exercise of the powers granted or the privileges secured to the citizen. It does not define what description of persons are intended to be included under these terms or who shall be regarded as a citizen or one of the people. It uses them as terms so well understood that no further description or definition was necessary.'

This is an explicit avowal that, so far as the *language* is concerned, the Declaration of Independence and the Constitution do both include *every* 'description of persons,' there being no limitation or exception. And hence, the Chief Justice, having despaired of pressing *the language* into his service, resorts to the expedient of a base and impudent falsification of the facts of our national history, and of the general tone of public sentiment when the Declaration was made and the Constitution ordained and established.

From every quarter, thus, pro-slavery, anti-slavery, and Republican, the concession, in some of its varied phases and forms, is coming to us, almost daily. The Liberator, the N. Y. Tribune, and the Supreme Court, (representatives, quite authoritative, of the three classes that contend against our views of the Constitution,) unite in a virtual or in an actual admission that the alleged compromises with slavery, in the Constitution, and also its supposed failure to provide for the personal liberties and inalienable rights of all 'the people,' of every 'description of persons,' are not found *in the words* of the Constitution. And this is the same thing as saying that they are not found in the Constitution at all, but only in something else, outside of the Constitution, and hence, of no Constitutional force or authority; unless the binding force of the Constitution is not in itself, but in something else!

Here, then, we put down a stake. Thus much is gained. Thus much is conceded to us. How much our various classes of opponents have got left to maintain their argument upon, after having made such concessions, remains to be seen. The language of the Constitution is not with them.

'NO GROUND TO STAND UPON.'

The reasons given by the Wisconsin Free Democrat, for believing that Senator Douglas will be 'worsted' in his contest with the ultra pro-slavery Democracy, are these:

'He has no ground to stand upon. His position is not one to enlist sympathy or elicit enthusiasm, because it appeals to neither side of the real strife. In recognizing the *right* of slavery, it is but a halting, half-way, laggard position, as compared with Buchanan's and the rest of the party, and will prove as weak and useless as a halting, hesitating policy usually does.

'Any person who expects that Douglas or any other man, can sustain himself and build up a party at this age of the world, on the principle that *slavery* is simply a question of majority and minority, is mistaken. The strife does not run in that direction.

'The Douglas platform will not come into power.'

Very good reasons, and well expressed. It strikes us that the application might be made more extensive than to the case of Senator Douglas. Does not the description apply to the position of the Republican party itself, as defined by its present platform? Does it not 'recognize the right of slavery,' in the slave States? Does not this imply 'the principle that slavery is simply a question of majority and minority'? Why and how does the Republican party find 'ground to stand upon,' while conceding this '*right*,' to Missouri, any more than Mr. Douglas can, while conceding it to Kansas?

If, for these reasons, 'the Douglas platform will not come into power,' what are the prospects of the Republican party, unless it takes higher ground? Perhaps the Editor of the Free Democrat, who has had some experience, and knows a thing or two, is gently touching up his Republican associates by these suggestions. We hope they will profit by them.

NOT TO BE WONDERED AT.

The New York Herald advocates the immediate admission of Kansas as a slave State, under the Lecompton Constitution. It says—

'The Convention also provided for an election on the 21st of December, at which the people were to decide whether they would have this Constitution 'with slavery,' or 'with no slavery.' The election was accordingly held, and by a large majority of the votes cast, the said Constitution was adopted with the slavery clause. Thus, through a regular chain of legal proceedings, a slave State Constitution was established for Kansas; and beyond this point it is not the duty nor the policy of Southern men in Congress to go.'

Some may wonder that the New York Herald, the paper that first proposed the nomination of Col. Fremont, should now be found advocating the worst measure of President Buchanan. But it should be remembered that the Herald has always been in favor of making Kansas a slave State, for the reason, as it says, of preserving an equal balance between the number of free and slave States. It said this, continually, while laboring for the election of Col. Fremont. And when taunted with inconsistency, its ready reply was, that in advocating the election of Col. Fremont, it advocated, *not* abolition, (which nearly all the leaders of the Fremont movement also disclaimed,) but only an equal and impartial administration of the Government, between slavery and freedom.—This, it now contends, is the policy of Buchanan. We should like to know whether, or to what extent, the falling off of the Republican vote, in this State, the present year, was owing to the fact that the Herald's patrons, who followed their illustrious leader, James Gordon Bennett, in 1856, followed him also, in 1857. These vague half-way 'platforms' accommodate, as they are designed to do, a great diversity of occupants—but, for that very reason, there is no knowing, by their number of enrolled votes, the real strength of the party, nor its adaptation to promote the interests of freedom. Had the Fremont party succeeded, the Herald wing of it, which controlled its *nomination*, might have controlled also its *measures*.

SLAVERY IN THE DISTRICT OF COLUMBIA.

'The revised code of the District of Columbia, prepared under authority of an act of Congress, and to be submitted to the popular vote of the District on the 15th of February, needs to be looked after.

'The new code, it seems, provides that every person who has any negro blood, shall be deemed to be a negro,' &c.—*N. Y. Tribune*, Jan. 13.

So then, the Slave Code is not only to be re-enacted in the Federal District, for the second time, under 'exclusive legislation of Congress,' (for this is doubtless involved,) but is to be made even more severe upon the colored race, than the law of Maryland, from which the District was taken.

From what clause of the Constitution does Congress derive the power of enacting slave codes?

The Constitution says, expressly, 'No bill of attainder or ex post facto law, shall be passed.' The Slave Code, and especially the provision above quoted, is a direct violation of both these prohibitions. It attaints the blood of every person of negro descent, and it does so, by an post facto law, imposing disabilities, retrospectively, for things transpiring before the act was passed, and before the victim of it was born.—The Old Code attaints the blood in the line of the mother only, but this, either in the line of father or mother.

Truly, as says the Tribune, this matter needs to be 'looked after.' And our Representatives and Senators 'need to be looked after.' Let them be written to, petitioned, and memorialized, without delay. Especially let the 'opposition' members hear from their supporters and constituents. And let the pro slavery members be reminded that the proposed action, if consummated, will settle anew and forever, the question of Federal control over the Slave question. If the Federal Government can enact, re-enact, and amend Slave Codes, they can repeal them. *And it will be done.*

For the Radical Abolitionist.

"IS THE STATE BIGGER THAN GOD?"

Brother Goodell:—On Tuesday, the twenty-second of December last, I attended a county 'Sabbath Convention' at Ithaca, Tompkins Co., N. Y., preparatory to the circulation of petitions to the Legislature to pass a law instructing the Canal Board to close the locks on the Sabbath.

During our deliberations and free interchange of thought, Judge Wisner, son of the venerable Wm. Wisner, D. D., related the following anecdote:—

"A few years since, while I was spending a Sabbath at Lockport, I passed over one of the canal-bridges. A gentleman and his little son were on the bridge with me. The little boy noticed a lock-tender at his work. 'Do see,' said he, 'father, that man is breaking the Sabbath!' The father replied, 'My son, he is doing that work for the State.' The child looked puzzled, and inquired with astonishment, 'Pa, is the State bigger than God?'"

Judge Wisner made a good application of the "higher law" question, which this child proposed, and I wish this record published in the

Radical Abolitionist for the especial benefit of those of our anti-slavery friends who will oppose slavery extension, but are zealous to pledge themselves not to interfere with slavery where it is, they have such veneration for "State Rights." "*Is the State bigger than GOD?*"

Yours truly,

Newfield, N.Y., Jan. 9, '58. J. R. JOHNSON.

SLAVES HELD IN IOWA — MORE BEAUTIES OF THE DRED SCOTT DECISION.

'The Fairfield (Iowa) Ledger is informed, on good authority, that a Missouri slaveholder has removed to Warren county, in that State, and has brought with him five or six slaves, whom he claims a right to keep and work on the free soil of Iowa, under the Dred Scott decision. If that decision is not repudiated, such practical illustrations of its teachings will soon be found in every free State. Iowa owes it to herself to strike the manacles from every slave brought within her limits, by an explicit and peremptory statute.—*N. Y. Evening Post.*

'Beauties of the Dred Scott decision?'—Yes, truly, and equally is it 'the beauties of the' common concession, (not dissented from we believe, by the N. Y. Evening Post,) that Slavery is legal and Constitutional in the original States. If legal and Constitutional in some of the States, why not in all of them? By what logic, or on what principle, is 'the Dred Scott decision' to be 'repudiated,' without repudiating the fatal concesssion which gave birth to it? How shall Iowa, or any other State, 'strike the manacles from every slave brought within her limits by a peremptory statute' while her legislators continue to make that concession? Will it be said that Slavery is legal and constitutional in the original slave States, by virtue of State laws? Not one of them can show such State laws, as Calhoun, Porter, Matthews, Mason, Toombs, Stringfellow, Douglas, &c., &c., &c., have abundantly testified—so that no distinction between Iowa and Virginia is to be made on any such basis. When we see the legislators of Iowa, or of any other free State, 'strike the manacles from every slave,' &c., as proposed, we expect to see them 'repudiating' not merely the Dred Scott decision, but the dogma of legal and constitutional slavery in any of the States. To fall short of this, would only be to enact an abortion, and ensure certain defeat. Enactments and adjudications involving self-contradiction and absurdity are not destined to attain permanence and efficacy in an age like the present.

ANOTHER DILEMMA—THE DRED SCOTT DECISION *versus* THE INDIANA BLACK CODE.

The Lemmon slave case, it would seem, is not the only case now pending in which a decision, either way, will bring the pro-slavery party into trouble. The black code of Indiana, excluding colored persons from the State, has long been a pet 'institution' of the slaveocrats. But now, it appears that either the Dred Scott decision, so sacred in their eyes, must be set aside, or else its operation must upset the Illinois black code The particulars are stated in the Indianapolis Journal, as follows:

'It seems that some months ago, Dr. William A. Bowles, of Orange county, brought into this State seven slaves, to be kept here temporarily, and then taken back to Kentucky. After keeping them here for some time he did take them back.

'In the mean time, proceedings were instituted in the Orange Common Pleas Court against Bowles, charging him with bringing negroes into this State, contrary to our Constitution and Laws. *Bowles defended on the ground that the negroes were slaves, and that he had a right, under the Dred Scott decision, to bring them into Indiana.* The defence was overruled by the Court of Common Pleas, and he was fined forty dollars. From this judgment he appeals to the Supreme Court of Indiana.

The case seems to involve this question for the consideration of the Court, namely: Shall the prohibition in our Constitution against the bringing of negroes into Indiana prevail, or shall it become a nullity by the overpowering authority of the United States Supreme Court? It should be recollected that our Constitution, so far as this question is concerned, makes no difference between slaves and free negroes. It provides that "No negro or mulatto snall come into or settle in this State." And both the Constitution and statute make it a penal offence in any one to aid any negro or mulatto in the infringement of the Constitutional provision. Nor can any one doubt that the provision applies to all negroes and mulattoes, whether bond or free. Our Supreme Court has already, in the case of Barkshire *vs.* The State, 7 Ind. R. 389, held that the provision above cited must be enforced as to a free negro; and that, too, under circumstances the most revolting. The negro, Barkshire, had brought a negro into the State, and he was held liable to punishment, under this prohibition, for so doing, though he intermarried with her as soon as he had brought her here He was in fact held liable to the penalty of the law for encouraging his own wife to remain with him here; the Court pronouncing, however, that the marriage itself was void. The effect of the decision was, that a negro, lawfully residing here, could not bring his own wife into the State.

'Now, it remains to be seen whether, since no man may bring a free negro into the State, and since not even a free negro lawfully resident here may bring into the State his own wife or child, a slaveholder can bring his slave here. If our Supreme Court decide that he may, it will virtually nullify the Constitutional provision above referred to, or at least limit its operation to free negroes, thereby giving the preference to slaves and slavery over free negroes and freedom, giving to the slaveholder a privilege denied to every non-slaveholding man in Indiana. But if, on the other hand, our Supreme Judges hold that the judgment against Dr. Bowles is right, they must do it in the very teeth of the decision in the Dred Scott case; for assuredly, if that decision is right, Bowles had a right to bring his slaves into Indiana.

'So it appears that our Supreme Judges are in this dilemma; they must either hold our own State Constitution on the subject a nullity, and overrule it, or they must overrule the Supreme Court of the United States. Which will they do? Can they take a middle ground, and say that the Constitution operates on free negroes only, and not on slaves? Should they take this middle ground, they will directly play into the hands of the slaveholder, and give to him, and to him only, of all the men in this free country, the inestimable right of taking negroes wherever he pleases. This our Supreme Judges will hardly do. We sympathize with their Honors, and hope that they may have "a safe deliverance."'

LIMITS OF 'LIMITATION.'

'If the majority of the votes cast at that election were *for* the Lecompton Constitution, then it is the plain duty of Congress to admit the State with that Constitution, the slavery clause included.'—*N. Y. Times.*

Such is the sentiment of the paper whose senior editor, H. J. Raymond, was the penman of the 'Address of the Republican Convention at Pittsburg,' in Feb., 1836.—We quote, in this number, an expression of the same sentiment from the N. Y. Tribune, of Horace Greely. We should like to know how many and which of the Republican journals agree with them. We hope they will all speak out, one side or the other, and let us know where they stand.

And we should like to know also, what they think of the new doctrine of the National Era, that the Constitution gives Congress no power over Slavery in the Territories.

"NEGRO EQUALITY."—TANEY AND BUCHANAN DISTANCED.

The Washington Republic, the central Republican organ, edited by Geo. M. Weston, says:—"The great present and pressing question of American politics is, whether negro slaves have the same rights in the Territories of the Union, as the white men of the country."—"It is with *regret* that we find the Administration, in this vital particular, throwing its whole weight upon the side of 'NEGRO EQUALITY.'"—"This doctrine of the Admistration we feel bound to oppose. The Territories of the Union were not acquired by the blood and treasure of negro slaves," &c., &c., &c.—"It is negro equality in the worst imaginable form."

And so it would seem that Judge Taney and President Buchanan are for granting to the negroes more rights than the Republican organ is willing to accord to them. And "this is the present and pressing question between the parties."

SENATOR DOUGLAS.—The Wisconsin Free Democrat, and the Fond du Lac Freeman, place no dependence on the aid of Senator Douglas, and strongly deprecate the disposition of some Republican leaders to confide in him, and come down to his platform.

EXTRACTS FROM LETTERS.

From Illinois.—'When the times get better, I will try to send you several subscribers; for the principles you advocate must prevail, or we, as a nation, must be blotted out, by the hand of God.'

From New Hampshire.—'Our fathers fought and obtained liberty and independence from English oppression. But now, millions of our inhabitants find no relief from worse oppression, but a secret flight into English territory! May the Lord raise us up a Sampson, to break down the pillars of Slavery; and a David to slay the giant that defies our Union and our Liberty. Though I am aged, my hands feeble, and my means scanty, I enclose you $3 for the American Abolition Society, and $2 for the American Missionary Association.'

From Ohio.—'Recent events, I think, will tend to make 'conservative' men more 'radical.' Republicans will have to labor for the *extinction* of Slavery, before they will do much to prevent its *extension.*'

From Philadelphia.—'Is it not astonishing to see the apathy of professing Christians upon the subject of Slavery? But God reigns, and he will be better to us than we are to ourselves. There may be great trouble in Kansas yet, and there is a prospect of a split in the 'Democratic' party. Let us live in hope.'

☞ Our acknowledgments are due to HON. CHARLES SUMNER for important public documents.

REV. CHARLES W. DENISON, now of Bordentown, N. J. having resided in the West Indies, is prepared to lecture on the workings of the English Emancipation Act.

"THE AMERICAN INDIAN AID ASSOCIATION, *for the protection and Civilization of American Indians.*"—This is a new organization, for the purpose above specified.—We lately listened to an interesting statement of its proposed operations, by MR. JOHN BEESON, General Agent of the Society. It is proposed to petition Congress for the redress of flagrant wrongs, which are specified. The subject deserves the public attention.

FEMALE HELP. Housekeepers and farmers, at the West, desiring good female help, can probably obtain it by application to C. L. BRACE, Branch Office, Children's Aid Society, Clinton Hall, Astor place, New York.

"The applications enclosing fares will always be attended to first. There will be an understanding, and, if possible, a written agreement with each girl, that her fare is to be deducted from her wages.

"Parties applying will state exactly their wants, the wages offered, their Town, County and State, and the cheapest and best way of reaching the place. References from the clergyman, magistrate, or other responsible person of the town will in all cases be demanded. It will be the endeavor of the Society to send out none but girls of good references, and who are represented to be of good character."

C. L. BRACE, Secretary.